

THE STATUS OF WOMEN IN ISLAM: RIGHTS, RESPECT, AND THE MYTH OF OPPRESSION

ELIZABETH L. MÉTRAUX

Foreword by the Author: Few issues in modern Islam arouse the kind of ardent discourse that encompasses the debate on the status of Muslim women in Asia. The purpose of this article – and the dialogue that I hope this piece will generate – is not to espouse one particular view, but to address a number of issues that currently face women beneath the hijab. Moreover, by shedding light on areas of concern for Muslim women, I would encourage you to also apply the same scrutiny to the roles and status of women in the West.

Women in the West cannot evade a sense of heartbreaking sympathy – accompanied by equal intrigue – at the sight of a woman in hijab. It is the kind of observation that ignites a sudden discourse on the inhumanity of Islam and the women bound by the unyielding restrictions of the faith.

Look past the veil, however, and the case against the oppression of women that seems so distinct in ignorance expands into a much broader debate, and one utterly misunderstood by the West. As my American orientation would so doggedly suggest, the Islamic faith is suffocating women – denying them value and basic human rights. From genital mutilation to honor killings, female infanticide, polygamy, and the archaic practice of arranged marriages, it appears that Islam has turned the clocks back several centuries for the sake of propagating a misogynist social order that prospers on the systematic abuse of half of its population. And all the stringency frequently associated with this male-dominated religion most often comes to the fore at the mere glimpse of a woman donning the veil.

But is this representation a factual illustration of modern Muslim practices, or has the West projected an inaccurate view of a faith for which we know very little, falsely accusing Islam of subjugating its women?

To understand the debate surrounding women's rights in the modern-day Middle East, it is worthwhile to look to at the origins in which the attitudes towards women of Islam evolved. Regardless of the faith in question, a religion never develops within a vacuum, but evolves within preexisting cultural conditions. In Islam, these preexisting conditions belong to *jahiliyya*, the time of ignorance prior to the advent of Islam. And like all faiths, a degree of religious transmutation (or transference), that is, the adoption of established customs to allow for smoother conversion of followers to this “new” faith, is necessary. The process of religious transmutation is absolutely critical when examining gender roles in Islam, because it is *jahiliyya* which in many ways is responsible for what the Western world quickly judges to be a disregard for women. As a monotheistic faith, Islam was met with firm opposition in a region of the world that was predominately polytheistic. Inevitably, then, in order to essentially coerce many of the Arabs that were entrenched in paganism, Islam, being a political as well as religious institution, needed to adopt preexisting practices in order for people to naturally transition. Subsequently, practices already existing in *jahiliyya* such as

polygamy, clitorrectomy, and the hijab, are all phenomena substantially predating the life of the Prophet (570 – 632 ad).

There is general consensus that the rights granted to women in the Quo'ran and by the Prophet Muhammad were a manifest improvement in comparison with the situation of women in Arabia prior to Islam's establishment. The Prophet, while adopting these aforementioned customs, made a concerted effort to adapt them, as well. The Quo'ran limited polygamous marriages to four partners, but even while making provision for "two or three or four wives," he "in truth, encourages marriage with only one woman" (Quo'ran 4:3). The very word for second wife, *darra*, from the root word harm, clearly conveys the caution that the Prophet demanded in deciding whether to take another wife. And should a second wife be introduced into the home, the first wife is legally permitted to divorce her husband and receive alimony (2:241).

The Prophet declared that the privilege of veiling be required of and left exclusively for his wives (33:53) and for men of nobility, a custom known as *hijab al-amir*, to distinguish them from *barza*, or lower class, "unveiled" citizens. Interestingly, when the hijab, literally curtain, was drawn around Muhammad's wives, a penalty was enforced against any common woman in Arabia veiled in a way that emulated the women of the Prophet. The only obligation in regards to dress, extended to men and women, was that they "dress modestly," which is "purer for their hearts" (24:30).

While it is true that women receive an inheritance equal to only half that of men (4:11), the mere suggestion that women receive inheritance at all was tremendously progressive. In fact, property and inheritance rights were granted to women to the extent that a woman's property may not be taxed or levied against for the debts of male relations. Furthermore, it is worth noting that it was more than 1,200 years *after* the Prophet acknowledged women's rights to inheritance that the first Western countries released women from *inclusion* in the inheritance for men, and allowed them property rights of their own (for example, Great Britain's Married Women's Property Act in 1870).

Al-wa'd, female infanticide, was altogether abolished under the Quo'ran, a practice that originated in jahiliyya as a sacrificial show of fidelity to *al-Uzza*, the goddess of war and power (in itself an irony that a female figure would preside over a traditionally male domain). *Al-Uzza*, the name rooted in the words 'izz, power, and *quwwa*, physical force, was the goddess of Quraysh, Mecca's largest clan. Her alter, the *ghabghab*, was known in Mecca simply as the *manhar*, literally the place of slaughter, which was located next to a dry well in which the blood of the victims ran – the victims being, of course, female infants. In Sura 6:41, the Prophet condemns this practice as the result of the ignorance of jahiliyya and the idols responsible for sanctioning such unjustifiable death. He declares that "they are losers who besottedly have slain their children without knowledge... indeed they have gone astray and are not guided" (see also 6:138). Consequently, because a female figure was the presiding deity responsible for the death of thousands of children, many Muslims still associate the feminine with those "gone astray." Nevertheless, the custom of *al-wa'd* was forbidden by command of the Prophet.

Muhammad also condemned honor killings, a custom which although still legal in many tribal societies, remains as abominable as it was during the time of the Prophet, both to Eastern and Western observers. The practice, meant to cleanse family honor if a woman has

engaged in sexually promiscuous activity outside of the bonds of marriage, is undeniably a regrettable vestige of pre-Islamic society. However, again, this has its roots in jahiliyya and in limited Islamic codes, namely *hadith* (which I will address below) and *qiyas*, individual cases in which the decision is made by a panel of Shari'a judges, not Quo'ranic directives.

Clitorectomy and infibulation, often erroneously associated with Quo'ranic mandates, have no basis in the Islamic faith, nor any sanction in the Quo'ran. In fact, any impediment to a woman's sexual pleasure was strongly discouraged by the Prophet, with one of the sole exceptions to "don'ts" in intercourse being the restriction on a man "going on a woman like an animal, but instead he should be slow and delaying to orgasm." This would contradict any claims that men should limit the sexual enjoyment of women. But because genital mutilation does still occur, it is worthwhile to examine the origins of the procedure. Resulting from cultural and tribal traditions (as opposed to religious), the practice has remained rather common, albeit steadily declining, in many east African countries. The earliest accounts of genital mutilation are recorded in East Africa during the Stone Age among the Platelip tribes of Nubia (present-day Sudan), and spread primarily northeast into Egypt. In the eighth century when Muslim armies conquered the Nile region, the practice spread further east into the Arabian peninsula. Although never adopted as Islamic law, even if nominally accepted by one hadith (stating that should circumcision be desired, "do not overdo it; the clitoris brings radiance to the face of a woman and pleasure to a man"), for many illiterate Muslim women unaware that the Quo'ran never even addresses the practice, they have continued to suffer from the pagan custom. A small minority of Muslim men and religious leaders have endorsed "sunna" genital mutilation (removal of the clitoral hood and/or tip of the clitoris, known as type one and two circumcision) as a way of keeping women chaste, and also, although less frequently, have cited the carnal rush that the blood from an unhealed pudendum stimulates. To lessen or entirely eliminate any sexual pleasure of a woman consequently eliminates any sexual temptation. Yet attenuation of sexual pleasure, by all historic accounts, is clearly un-Islamic.

The list of examples of women's rights achieved as a result of the spread of Islam is extensive. The Prophet, by all accounts, was a *feminist*.

Likewise those who surrounded him were equally revolutionary in their views of women's rights, not the least of whom were his wives. Khadija, his first wife, was an affluent businesswoman who owned an international trade company and played an integral part in her husband's decision-making about affairs relating to both religion and politics, spheres affected by the influence of another powerful spouse, Umm Salamma. His youngest and most favored wife, A'isha, who the Prophet declared responsible for teaching Muslims "half their faith," led arguably the most critical battle in the history of Islam, the Battle of the Camel, in Basra, resulting in the great schism of Islam that divided the Sunnis and the Shiites in 656 AD. Mention the name of Nusaybah bint Kaab, and even a man will bow in reverence. It was Nusaybah who saved Muhammad's life at the Battle of Uhud, shielding the Prophet's body with her own, and inflicting thirteen wounds that proved near fatal. Examples of women's authority and valor abound. Historically, when looking at the foundations of Islam, this is a faith that, rather than depriving women of their value, actually restored the respect and honor that they deserved, and substantially elevated their status.

What the Prophet adopted during his lifetime was what many refer to as the “doctrine of equivalence” in regards to women, a doctrine modeled after his revelations in Sura 4:34, and still used to measure women’s rights in most Arab countries today. That is, that “women shall have rights equivalent to rights against them, but men shall have a degree of advantage over them.” In other words, the sexes should have equivalence of rights, not equality of rights. In the seventh century, these were radical reforms to contemporary gender issues.

After the Prophet's death, however, the conditions of women in Islam began to decline and revert back to jahiliyya status, where they stagnated for several centuries. In those few hundred years after the Prophet’s death when the Muslim caliphate dominated, hundreds of thousands of hadith were written to maintain a subordinate role for women, and to sustain the power of the male caliphate. Analysis of the sources of hadith is thus necessary to determine the source of decline in women’s rights.

Hadith, literally “recounts”, are traditions not divinely sanctioned by the Prophet, but exemplified in his daily life. After his death, succeeding caliphs started the undertaking of recording these proverbs. Hundreds of thousands of hadith were developed and taught over the years following Muhammad’s death. In the ninth century, the religious scholar Al-Bukhari assumed the Herculean task of authenticating these statements through interviews and laborious research. Of the 600,000 hadith initially collected, only 7,257 (with 4,000 repetitions) were confirmed. That meant that by the mid-800s, 588,743 false hadith, by conservative estimates, were in circulation in Arabia. They addressed topics ranging from instruction on marriage night rituals, civil war conduct, performing ablutions, and yes, women.

As is true in all religions, manipulation of sacred texts to accommodate individual needs or cultural customs is common. True as well in Islam, the problem seems to be exacerbated due to the inextricable relationship between religion and politics. The exploitation of hadith is an integral characteristic of the practice of power in Muslim society, and for a number of reasons. All power is legitimized by religion, a reality in Arabia since the rise of the Prophet. Subsequently, in order to legitimize not only power, but necessary legislation in an evolving society, political leaders and *mullahs*, religious scholars, began fabricating hadith to achieve personal profits and garner support of the masses. After all, no devout Muslim would question, even at the expense of his own freedoms, direct orders from Allah. Furthermore, rules, whether demonstrated by Mohammad or not, were essential to maintain order after his death. This practice of falsifying customs gained impetus as more and more mullahs sought power. It was only when the leaders of the Islamic community began to deviate from the Quo’ran, the heart of the Islamic faith, that women lost so many of the rights in which the religion afforded them.

Shift now to the early twentieth century. In 1924, six years after the collapse of the Ottoman Empire, the caliphate was dissolved and massive changes were inevitable on nearly every front of society. Simultaneously, it was at this time on the other side of the globe that women's movements in the West began to gain momentum. Muslim women, observing the progress of their Western counterparts, saw this as a prime opportunity to form their own campaign to recover the rights provided to them in the Quo’ran, but denied to them over the previous several centuries of caliphate reign. These feminists in the Muslim world in the

twentieth century, up until the 1980's, were generally of higher socioeconomic classes, and modeled their campaigns after those in the West.

The feminist movements did make minor, mostly personal, advancements in Islam, but just as modern socio-political models developed in the Muslim world (Turkey, Tunisia, and others), the resentment of colonialism that resonated so strongly in the twentieth century caused Muslims to shift from Western models of society and government to Islamic models, and a resurrection of Islamic pride developed. This sentiment was equally manifest in feminist movements in the Muslim world, as they began to take on Islamic forms rather than continuing to adopt the Western feminist form. Having rid themselves of colonial imperialism, women in Arabia sought to display a distinct kind of "Arab feminism" that resisted the West. While so many secular nations began to witness women hiking up their skirts and lowering their blouses, women did the very opposite in Arabia, and embraced a more modest, Islamic identity. Muslim women saw that while their Western counterparts defined their movement as one to achieve *rights* formerly withheld from them, women in the East sought to gain *respect* that the Quo'ran guaranteed them. The most prevailing display of this Islamic feminism, this movement for triumph of respect, was the emergence of the Muslim woman's symbol of freedom and womanhood – the hijab.

Ironically, and I will return now to my opening statement, this symbol is viewed by the West as the very embodiment of the oppression and misogyny that defines Islam. But in the East, the veil has become increasingly common as a mark of Islamic identity, freeing women symbolically from neo-colonial Western cultural imperialism (political freedom), as well as affirming their devotion to traditional Islam as exemplified in the Quo'ran (a kind of religious liberation).

So the question, again, is to what extent the perceived subservience and lack of rights afforded to women, is an accurate depiction of women's status in Islam, or has the West unduly vilified the faith and failed to recognize the breadth of respect for which women in the East are afforded.

Speaking strictly on the grounds of Islamic mandate, the Islamic faith has not only provided the *respect* that most women sadly lack, particularly those in the West, but has also managed to maintain an equilibrium of rights and roles between the sexes. As for those rights that the West could accuse Islam of denying its female followers, the reasons for refusing the rights for which Islam has withheld are not arbitrary, and nor is the acquiescence of rights for acquisition of respect deserving of Western condemnation.

Women are the guardians of goodness and virtue in Arabia. They are responsible for raising children and maintaining the home, but they are equally at liberty to pursue careers outside of the domestic sphere, as doctors, teachers, businesswomen, etc. Certainly men are granted twice the inheritance of a woman, but practically speaking, the financial demands of a male in the Arab Middle East are far greater than that of a female. They must present dowries to both the family of their spouse and to their wife, and alimony in cases of divorce. Women frequently withdraw from organized education while still in their teens, but the cessation of formal schooling is a result of marriage, not due to legal restrictions placed on females. One fascinating point worth noting is that despite the high regard for young wives, and the common custom of forfeiting education and other occupations at the time of marriage, the education of a woman remains the second highest consideration for a man

looking to wed, following only the status and tribal origins of the woman's family. This is clearly demonstrated by a markedly more substantial dowry rate, *mahr*, required to be presented to an educated woman, of which she is the sole recipient. It is true that the current reality provides few examples of the ability for women to achieve positions of political power, but historically, the women of Islam have been equally engaged in the affairs of the state. The best examples of that are most certainly the wives of the Prophet, who, as noted above, were vital in contributing to government decisions. Furthermore, with the exception of the Gulf States, all other Arab nations have extended suffrage rights to women. Women may also find themselves in the undesirable position of sharing the *harem* with another of their husband's wives, but polygamous relationships must be approved of by the first wife during prenuptial agreements. Moreover, a comprehensive assessment of the practice of polygamy, and I would have a difficult time judging the custom to be an indication of primitivism and domination. It seems unreasonable to link the multiplicity of wives who have a contractual relationship with their husbands, with archaic society, and yet deem the multiplicity of mistresses who have no recourse, a practice so readily endorsed by Western culture, as a sign of progress.

It cannot be denied that there are areas of concern that need to be addressed in Muslim society in regards to the treatment of women. However, when addressing these concerns, it is important to realize that the customs do not exist for irrational or chauvinistic reasons. Women perpetuate their conditions because their status in the Islamic world provides them with security and respect. They fit a particular role in their social environment and in a supernatural design, and their very thinking about the issues is fundamentally different from what is considered "normal" by Western standards. Islam is a religion, a way of life, sustained by community and by relationships. Subsequently, it is Islamic women who uphold the domestic forte of society, and should not be rebuked for that position. While at times it seems as though women in Arabia are unnecessarily forfeiting their rights, what they gain from some of the minor concessions "forced" upon them, is an admirable level of respect.

For my own assessment of the status of women, my greatest concern for the women beneath the hijab is not that Islam is the enemy, quite the opposite as the aforementioned examples should demonstrate, or that the Muslim faith is a vehicle for systematic denial of rights. The West should not, simply because the practices employed in many Eastern countries appear so alien in contrast to what is "normal" in our culture, suddenly seek conversion of Muslim women and claim that they are living under a dictatorial male-dominated regime. Rather, my concern stems from placing any woman, including Westerners, in the unenviable position of having to choose between rights and respect. A woman's status, as described by Nadia Youssef, "can be seen as having two components – the legal rights given to them and the respect given to them. Confusion ensues because the two distinct factors are erroneously used interchangeably, when in reality, they are often inversely correlated. Thus, women receive great respect in certain societies that give them few rights; they receive equality of rights in societies in which they compete with men but have relatively low respect."

Perhaps before passing judgment on practices regarded as out of date and misogynistic, we should instead seek to understand the origins of the customs we so intensely critique, and offer the practices, and the women, the esteem they deserve.